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EXAMINER

PRIETO, BEATRIZ

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 01/23/2002

18

Please find below and/or attached an Office communication concerning this application or proceeding.

NY

# Office Action Summary

Application No.

09/276,016

Applicant(s)

PASQUALI, SANDRO

Examiner

B. PRIETO

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***DETAILED ACTION***

1. This office action is in response to Amendment filed on 12/19/01, claims 1-25 remain pending.
2. Quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous Office Action;
3. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubinstein et. al. (Rubinstein) U.S. Patent No. 5,913,215 in view of Osaku et. al. (Osaku) U.S. Patent No. 6,061,738.

*Regarding claim 11 and 16, Rubinstein discloses substantial features of the invention as claimed; Rubinstein teaches a method of using a network content search expression (abstract, col 3/lines 1-15), comprising the steps of: (a) a said software package (generated method/apparatus computer implemented, i.e. software package: col 2/lines 58-61) facilitating construction of a navigation sentence via selection of pre-configured sentence parts (abstract), said pre-configured sentence parts (col 2/lines 28-67, pre-configured keyword/phrases) included within a user interface within a application program (col 18/lines 55-col 19/line 29), including said at least one network navigation destination instruction (col 12/lines 45-66); and (b) accessing a second network location based on said at least one network navigation destination instruction (col 4/lines 19-31, accessing using a browser program running on the client-side via Url, i.e. navigation destination instruction), disclosing where pre-configured sentence parts (keyword/phrases) which already have associated at least one network navigation destination instruction (Url), wherein the selection includes Url executed by client user interface/browser programs, facilitating the construction navigation sentences; wherein said pre-configured sentence parts include at least a verb, and object, and a destination; wherein said navigation sentence corresponds to at least one network navigation destination: and wherein said pre-configured sentence parts include at least a verb, and object and a destination: (Rubinstein: col 2/lines 28-col 3/line 14, col 4/lines 19-48, col 5/lines 4-21, col 5/lines 31-col 6/line 54, col*

8/lines 16-25, col 10/lines 25-41, col 11/lines 33-50, col 12/lines 45-66, col 13/lines 7-50, Fig. 5-7, 10-13); however Rubinstein does not explicitly teach where *a first network location is accessed to receive said software package, serving said software to the client processing system to run thereby*; Osaku teaches a communication data/access retrieval system/method for accessing information via Url's, disclosing means for accessing a first network location to receive/download a software package (col 24/lines 48-col 25/line 1), serving said software to a client processing system to be run thereby, wherein software package includes said at least one network navigation destination instruction (Url), additionally disclosing a method of using a network content search engine (col 6/lines 20-32) associated with a database module (Fig. 7, element 132, 134) that includes a second network location via a network navigation destination instruction (Url), initiated within a client-side system running in accordance with a WWW browser software application (col 4/lines 50-54, 62-64, browser accessing means via Url: col 5/lines 4-7);

It would have been obvious to one ordinary skilled in the art at the time the invention was made to modify Rubinstein's system with means for accessing a first network location to receive said software package via WWW client-browser application as taught by Osaku because by doing, applets comprising said software package may be used these known in the art to have platform independent merits that enable said software program to run on any operating system, motivation would be to add functionality to existing client-browser software application's location address field by storing/updating said navigational destination instructions obtained by said software program locally, increasing system time-response and making better utilization of bandwidth resources, both performance and cost-efficient desirable merits.

*Regarding claim 12, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein step (a) is initiated within a client-side-system running in accordance with a WWW browser software application (Osaku: col 24/line 48-25/line 1, col 4/lines 50-64, Rubinstein: abstract, computer-user means, col 18/lines 55-67).*

*Regarding claim 13, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein step (b) is initiated within a client-side*

*system running in accordance with a WWW browser software application (Rubinstein: col 4/lines 19-31, browser access second location content provider, col 10/lines 25-41).*

*Regarding claim 14, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said at least one network navigation destination instruction is a uniform resource locator (URL) (Rubinstein: col 4/lines 19-31).*

*Regarding claim 15, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said software package includes said at least one network navigation destination instruction (Osaku: col 24/lines 48-col 25/line 1).*

*Regarding claim 16, limitations are substantially the same and/or have been discussed when addressing claim 11 above.*

*Regarding claim 17, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein a software system adapted to be downloaded to a network client system running in accordance with a network client application to facilitate access to a network content source (Osaku: receive/download a software package col 24/lines 48-col 25/line 1, serving said software to a client processing system to be run thereby, wherein software package includes Url initiated within a client-side system running in accordance with a WWW browser software application col 4/lines 50-54, 62-64, browser accessing means via Url: col 5/lines 4-7), comprising: a database module having a database of destination navigation instructions (Rubinstein: Fig. 7, 134, holding Urls at client, Fig. 27 element 498, Osaku: database comprising Urls, col 27/lines 40-45), said destination navigation instructions corresponding to network content sources (Rubinstein: col 4/lines 19-23, 27-31, accessing using a browser program running on the client-side via Url, to access content source), and a search sentence construction module permitting construction of a search sentence corresponding to at least one of said destination navigation instructions (Rubinstein: col 2/lines 28-43, 63-67, pre-configured keyword/phrases, including Urls col 12/lines 45-66), said at least one destination navigation instruction adapted to be processed within said network client*

*application to access said network content source (Rubinstein: col 4/lines 19-23, 27-31); wherein said navigation sentence corresponds to at least one network navigation destination; and wherein said pre-configured sentence parts include at least a verb, and object and a destination: (Rubinstein: col 2/lines 28-col 3/line 14, col 4/lines 19-48, col 5/lines 4-21, col 5/lines 31-col 6/line 54, col 8/lines 16-25, col 10/lines 25-41, col 11/lines 33-50, col 12/lines 45-66, col 13/lines 7-50, Fig. 5-7, 10-13).*

*Regarding claim 18, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said database module includes values corresponding to sentence parts that may be assembled to correspond to said destination navigation instructions. (Rubinstein: Fig. 7, 134, holding Urls at client, Fig. 27 element 498, Osaku: database comprising Urls, col 27/lines 40-45).*

*Regarding claim 19, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said database module includes a reference to a network resource having values corresponding to sentence parts that may be assembled to correspond to said destination navigation instructions (Rubinstein: Fig. 7, 134, holding Urls at client, Fig. 27 element 498, Osaku: database comprising Urls, col 27/lines 40-45, said destination navigation instructions corresponding to network content sources, Rubinstein: col 4/lines 19-23, 27-31, accessing using a browser program running on the client-side via Url, to access content source, where network resource have values corresponding to the keywords assembled to correspond to said destination instruction/Url, col 5/lines 4-21).*

*Regarding claim 20, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said search sentence construction module includes instructions to control said network client application to permit graphical user interface (GUI) selection of sentence parts (Rubinstein: software package: col 2/lines 58-61, facilitating construction of a navigation sentence via selection of pre-configured sentence parts (abstract), said pre-configured sentence parts col 2/lines 28-43, 63-67; pre-configured keyword/phrases,*

including said at least one network navigation destination instruction col 12/lines 45-66, Fig. 2-3, 5-7, 9-14, dialog box, GUI selection means: col 13/lines 16-34).

*Regarding claim 1, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein a system for building and executing a network navigation instruction via corresponding sentence construction (Rubinstein: search engine/query expression: abstract, col 2/lines 28-57, 63-67), comprising: a server data processing system (Osaku: Fig. 25, Web servers, 472-486, Rubinstein: col 14/lines 27-40) having at least one database storing preconfigured navigation options and corresponding navigation destination instructions (Rubinstein: col 14/lines 47-56, Osaku: col 24/lines 8-39, Fig. 25, 478); and a client data processing system (Osaku: Fig. 25, clients 464-470) coupled to the server data processing system via an electronic data network (Osaku: Fig. 25, data network 476) and configured with at least one program, said at least one program (Osaku: Fig. 27, 500, browser program) causes said client data processing system to access said server data processing system to load said preconfigured navigation options and said corresponding preconfigured navigation destination instructions into a local data storage facility (Rubinstein, col 14/lines 27-40, Osaku: Fig. 27, 498 local cache, col 9/lines 30-39), to facilitate construction of a navigation sentence via selection of pre-configured sentence parts, said pre-configured sentence parts including a preconfigured destination corresponding to at least one of said navigation options and said corresponding navigation destination instructions (Rubinstein: col 2/lines 28-43, 63-67, col 12/lines 45-66), whereby said client data processing system retrieves network content based on said navigation sentence and said preconfigured destination thereof (Rubinstein: col 6/lines 34-44, 50-54, accessing means: col 4/line 19-31); wherein said navigation sentence corresponds to at least one network navigation destination instruction: (Rubinstein: col 2/lines 28-col 3/line 14, col 4/lines 19-48, col 5/lines 4-21, col 5/lines 31-col 6/line 54, col 8/lines 16-25, col 10/lines 25-41, col 11/lines 33-50, col 12/lines 45-66, col 13/lines 7-50, Fig. 5, 6, 7, , 10, 11 12, 13).*

*Regarding claim 2, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said client data processing system retrieves said network content via a WWW site (Rubinstein: abstract) and said electronic data network*

(Osaku: col 6/lines 5-14, Fig. 25, client 464-470, coupled to servers 474-486 comprising network content, via data network 476).

*Regarding claim 3, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said destination instructions include links to content accessible via said electronic data network, said at least one program further configured to traverse said links (Rubinstein: col 14/lines 27-40).*

*Regarding claim 4, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said links are uniform resource locators (URLs) (Rubinstein: col 14/lines 27-40, 47-56).*

*Regarding claim 5, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein selection of said sentence parts is realized via pull-down dialogs within a graphical user interface provided within said client data processing system (Rubinstein: Fig. 2-3, 5-7, 10-15, client user interface software, window-based environment col 5/lines 31-43, Osaku: client: col 4/lines 10-12, window-based environment/operating system: 10/lines 8-26 (i.e. graphical user interface)).*

*Regarding claim 6, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said graphical user interface is provided within a WWW site review window (Rubinstein: col 4/lines 19-31) of a running WWW browser software package (Rubinstein: col 14/lines 47-56) .*

*Regarding claim 7, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein a network content search engine adapted to facilitate Internet and WWW content searching (Rubinstein: col 3/lines 1-13, Osaku: client-server communication via Internet: Fig. 25), comprising: a software package configured to be downloaded to a client data processing system (Osaku: col 24/lines 48-col 25/line 1, Rubinstein: software package: col 2/lines 58-61, facilitating construction of a navigation sentence via*



selection of pre-configured sentence parts, abstract), *said software package including at least one network navigation destination instruction* (Rubinstein: pre-configured sentence parts col 2/lines 28-43, 63-67), *said software package facilitating client-side construction of a navigation sentence via selection of pre-configured sentence parts* (Rubinstein: abstract), *said pre-configured sentence parts including said at least one network navigation destination instruction* (Rubinstein: pre-configured keyword/phrases, including said at least one network navigation destination instruction, col 12/lines 45-66), *whereby network content is retrieved based on said navigation sentence and said at least one network navigation destination instruction* (Osaku: col 24/line 48-col 25/line 1, col 4/lines 50-54, 62-64, Rubinstein: abstract, computer-user means network content retrieval via Urls); wherein said navigation sentence corresponds to at least one network navigation destination; and wherein said pre-configured sentence parts include at least a verb, and object and a destination: (Rubinstein: col 2/lines 28-col 3/line 14, col 4/lines 19-48, col 5/lines 4-21, col 5/lines 31-col 6/line 54, col 8/lines 16-25, col 10/lines 25-41, col 11/lines 33-50, col 12/lines 45-66, col 13/lines 7-50, Fig. 5-7, 10-13).

*Regarding claim 8, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein the network content search engine as discussed above, wherein said network navigation destination instruction is a uniform resource locator (URL) (Rubinstein: col 4/lines 19-23, 27-31).*

*Regarding claim 9, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, the network content search engine as discussed above, wherein selection of said pre-configured sentence parts is realized via pull-down dialogs within a graphical user interface provided within a client data processing system (Rubinstein: Fig. 2-3, 5-7, 9-14, dialog box, GUI selection means: col 13/lines 16-34).*

*Regarding claim 10, this limitation is substantially the same as claim 6, same rationale is applicable.*

*Regarding claim 21-22, and 24-25, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as claimed; further teach where the object is based on said verb, and said destination is based on at least one of said and said verb; (Rubinstein: col 2/lines 28-col 3/line 14, col 4/lines 19-48, col 5/lines 4-21, col 5/lines 31-col 6/line 54, col 8/lines 16-25, col 10/lines 25-41, col 11/lines 33-50, col 12/lines 45-66, col 13/lines 7-50, Fig. 5-7, 10-13).*

*Regarding claim 23, the combined teachings of Rubinstein and Osaku, further teach the step of: selecting a verb; selecting a object based on said verb; and selection a destination based on at least one of said object and said verb; (Rubinstein: col 2/lines 28-col 3/line 14, col 4/lines 19-48, col 5/lines 4-21, col 5/lines 31-col 6/line 54, col 8/lines 16-25, col 10/lines 25-41, col 11/lines 33-50, col 12/lines 45-66, col 13/lines 7-50, Fig. 5-7, 10-13).*

### ***Response to Argument***

4. Applicant argues (A) prior art of record, Rubinstein does not teach claim limitation as amended: (i) where search sentence is constructed from pre-configured navigation options and navigation destination instructions within a database or software package and loaded from a server, because said options and instructions are not preconfigured; (ii) in instant application no network search is performed, as opposed to prior art's teachings which use open-end search expression using keywords and phrases, i.e. an entered search string comprised of keywords that communicated with a plurality of search engines, therefore prior art's constructed "search expression" is distinguishable from claimed "search sentence", because prior art performs a search to a search engine and the instant application performs no search.

In response to argument A:

1. According to applicant's specifications:

(i) ...as part of prior art invention's disclosure...a WWW site such as [www.yahoo.com](http://www.yahoo.com) is used to access and search through a hierarchical list of "links" related to a particular field of interest, or execute a keyword search against network content index databases...user must

exhaustively review of resultant links from such a "search engine" search to only possible find desired content that is "on-target" (specs page 2, lines 1-20).

(ii) ...loading navigation options and the corresponding navigation destination instructions in a local data storage facility, and to facilitate construction of a navigation sentence via selection of pre-configured sentence parts (specs page 4, lines 1-15). Software package includes files and scripts such as java scripts files, etc. (specs page 9, lines 13-34), ...sentence part are predetermined and are stored within database constructs (e.g. tables, hard-coded network documents, etc).... constructed destination navigation instruction may be a Url or any network resource that permits the browser locate or otherwise access network content and resources. ... user selects verbs and action type words related to locating network content (specs page 10, line 30-page 11, line 14)...user selects from a database (entries) of subject related to locating network content (specs page 11, lines 15-24)...user selects a network location (i.e. web site address, e.g. www.UBID.com, exemplary www.compaq.com, specs page 15, line 15) from a database or pre-configured network location to accessing relation to the selected verb and subject. Search sentence comprises a verb, a subject and a provider/destination to construct a "destination navigation instruction", specs page 12, lines 18-26, and page 19, lines 3-9.

2. Rubinstein teaches the user-interface that presents an automatically generated list of search terms, (i.e. pre-configured) referred to as keyword phrases, in a keyword pane 205. The listed keyword phrases 206 act to "prompt" the user to search for information of interest without requiring the user to conceive search terms, ...relieves the user from the burden of creating a document search expression, ...automatically generated keyword phrases 206 (i.e. pre-configured), ...also allows the user to enter keyword phrases that do not appear in the keyword pane 205. The keyword phrases 206 in keyword pane 205 are drawn and the name of the open archive catalog (i.e. data storage facility), computer user may construct and save archive catalogs, created automatically from the group of documents residing in an identified area of a computer system's file storage such as a folder or directory (col 5/lines 31-55), said archive catalog may reside locally or on web site (col 12/line 45-col 13/line 16, may be downloading from remote web site, abstract, user interface included in an application program, col 18/lines 55-59). Therefore Rubinstein teach constructing a query expression (search sentence, e.g. "query:yahoo:Luggage") from pre-stored, pre-configured sentence parts and preconfigured

destination part, where search sentence is constructed from pre-stored, pre-configured sentence parts stored within a database or software package. Destination selection allows a user to select a "preconfigured" network location (i.e. web site address, e.g. www.compaq.com, Figure 6, 610) from an archive catalog of pre-configured network location to accessing relation to the selected search term. Rubinstein discloses a prior art that said web site comprise search engines that are used to identify web pages contained in user-specified expression, col 1/lines 50-67, wherein said search engine accepts the expression from a browser inspects the pages looking for content consistent with the search expression, col 14/lines 47-59 at said web site.

Claimed preconfigured provider/destination to realize constructed destination navigation instruction (i.e. "web sites", e.g. compaq, amazon, etc.) selected from a database construct is not distinguishable from "search engine" consisting of web site, meaning in accordance with applicant specification, as indicated above, and prior art of record. Claimed preconfigured "verbs and subject" used to formulate a search expression (destination navigation instruction) are not distinguishable from "search terms" of the prior art of record that are user to locate and access network content and resources, in accordance to applicant's specifications, as discussed above.

5. Applicant's arguments filed 12/19/01 have been fully considered but they are not persuasive.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Prieto, B.** whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:30 to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **Mark H. Rinehart** can be reached on (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Application/Control Number: 09/276,016 (PASQUALI)

Art Unit: 2152

Any response to this action should be mailed to:

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Fourth Floor (Receptionist), further ensuring that a receipt is provided  
stamped "TC 2100".



B. Prieto

Patent Examiner

January 21, 2002

MEHMET B. GECKIL  
PRIMARY EXAMINER

